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STATE OF UTAH
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
Utah Water Pollution Control Committee
150 West North Temple, P.O. Box 2500, Salt Lake City, Utah 84110-2500

Wagone
File ACT 1019/005
Copy to PAM

Calvin K. Sudweeks
Executive Secretary
Rm 410 (801) 533-6146

RECEIVED

MAR 18 1985

DIVISION OF OIL
GAS & MINING

March 14, 1985

CERTIFIED MAIL
(Return Receipt Requested)

Mr. Bob McAdams
Environmental Director
Texasgulf Chemicals Co.
P. O. Box 1208
Moab, Utah 84532

Dear Mr. McAdams:

Transmitted herewith is an order from the Utah Water Pollution Control Committee for your immediate attention.

Sincerely,

UTAH WATER POLLUTION CONTROL COMMITTEE

Calvin K. Sudweeks
Calvin K. Sudweeks
Executive Secretary

Enclosure:

cc: Fred Pehrson

Ken Alkema - Director, Div. Envl. Health
Dr. Suzanne Dandoy, Exec. Dir. Dept. of Health
Fred Nelson - Assistant Attorney General
Mike Strieby - UIC Project Officer, EPA
✓ Lowell Braxton - Division of Oil, Gas & Mining
Gerald Story - Southeastern Dist. Health Dept.

LBM:pa
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UTAH WATER POLLUTION CONTROL COMMITTEE

In the Matter of Texasgulf
Chemicals Company
Class III Underground
Injection Operation

Notification of Noncompliance
Status, Order to Submit
Information, and
Compliance Schedule

Findings of Fact

Texasgulf Chemicals Company operates a Class III underground injection facility in Sections 22-27, 35 and 36, T26S, R20E, Grand County, Utah. Said facility was in operation prior to adoption of the Underground Injection Control (UIC) Program [Part VII, Utah Wastewater Disposal Regulations (UWDR)] and hence was authorized to continue operations for a five year period from January 19, 1983. Texasgulf was required to comply with UWDR 7.5.3(a)(3) by January 19, 1984. These requirements remain only partially fulfilled. Texasgulf Chemicals Company was notified of their noncompliance status by certified letter dated December 31, 1984. Staff from the Bureau of Water Pollution Control (BWPC) met with Texasgulf officials January 29, and February 13, 1985 to discuss the first year requirements. Only part of these requirements were fulfilled at these meetings. Currently, Texasgulf Chemicals Company continues to operate in a noncompliance status. The provisions of UWDR 7.5.3(a)(3) which have not been met are: 40CFR Sections 144.52(a)(6) [previously 122.42(f)] and 146.10, 144.52(a)(7) [previously 122.42(g)], and UWDR 7.9.3(c)(5), and (7), and 7.9.4.

ORDER

Based upon the foregoing Findings and pursuant to the provisions of Utah Code Annotated, 1953 Section 26-11-7(7), Texasgulf Chemicals Company is hereby ordered to comply with the requirements outlined in UWDR 7.5.3(a)(3) according to the following schedule:

- 1) UWDR 7.9.4 - Reporting Requirements. Quarterly reports shall be submitted within 30 days of the end of the reporting period.
Deadline - May 1, 1985 (1st quarter, 1985)
- 2) 40 CFR 144.52(a)(6) and 146.10, 144.52(a)(7), and UWDR 7.9.3.(c)(5) and (7) - Compliance with the requirements included in these regulations is dependent upon the presence of underground sources of drinking water (USDW). Texasgulf shall complete a study to document the presence or absence of USDW's in the area.
 - a) Submittal of draft USDW study for BWPC comment.
Deadline - May 1, 1985
 - b) Submittal of final USDW study for BWPC approval.
Deadline - June 1, 1985*

- c) 40 CFR 144.52(a)(6) and 146.10 - Plugging and Abandonment Plan. This requirement will be satisfied by submittal of plans to plug and reclaim wells and well heads used in the injection/extraction process. In the case of the existence of any affected USDW within the area, all wells and shafts, regardless of activity status, will be plugged and abandoned according to the manner prescribed by these regulations.

Deadline June 15, 1985**

- d) 40 CFR 144.52(a)(7) - Financial Responsibility Requirements. This requirement will be satisfied by a reclamation bond which will be made payable to the Utah Water Pollution Control Committee (WPCC). This bond will be posted by a bonding company with a Best's Key Rating Guide minimum rating of A-12.

- 1) Submittal of total well and shaft reclamation cost estimate for BWPC comment and approval.

Deadline June 15, 1985**

- 2) Submittal of Reclamation Bond to the WPCC.

Deadline August 1, 1985**

- e) UWDR 7.9.3(c)(5) and (7) - Monitoring Well Requirements.
Deadline - to be determined after completion of the USDW study.**

*This deadline may vary depending on BWPC comments and approval.

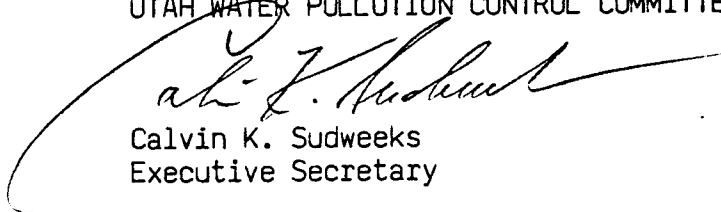
** These deadlines are dependent upon the results of the USDW study. If upon completion of the study these deadlines are found to be inappropriate they will be redetermined and reissued through a subsequent administrative order from the Utah Water Pollution Control Committee.

Be advised that failure to comply with this order could result in penalties outlined in the Utah Code Section 26-11-16 including up to a \$10,000 per day fine. As outlined by Utah Code Section 26-11-12, you have the right to appeal this order by making a written application for a hearing before the Utah Water Pollution Control Committee within 30 days of receipt of this order.

If you have questions, please contact this office at the above number.

Dated: This 14th day of March 1985.

UTAH WATER POLLUTION CONTROL COMMITTEE


Calvin K. Sudweeks
Executive Secretary